

1R 2667
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Lindsey Lin

Appl No. : 09/530,145
Applicant : Toshio Yamawaki
Filed : April 24, 2000
Title : COMMUNICATION GATEWAY

Confirmation No. 5367

TC/A.U. : 2667
Examiner : Alexander O. Boakye

Docket No. : 37395/DBP/A400
Customer No. : 23363

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181(a)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
October 10, 2005

Commissioner:

Applicant hereby petitions to withdraw holding of abandonment of the above-identified application, without a petition fee for the following reasons:

Enclosed herewith as Exhibit A is the Response to Notice of Non-Compliant Amendment.

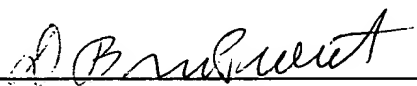
According to the Examiner for the above application, a Notice of Non-Compliant Amendment was mailed by the Patent Office on February 2, 2005, to the undersigned. However, the undersigned never received the mail copy of that Notice. A search of the file jacket and docket records also indicate that the Notice was not received.

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Enclosed as Exhibit B is a Declaration of Lindsey A. Lin and Daniel G. Ferris attesting to the fact that the Notice of Non-Compliant Amendment was never received by the undersigned. Also enclosed as Exhibit C is a printout of the weekly prosecution calendars for D. Bruce Prout and Josephine E. Chang, the responsible attorneys for the subject application, where the Notice would have been entered had it been received and docketed. These calendars show that the one month date of March 2, 2005, from the alleged mailing date of February 2, 2005, was not docketed. This is because it was never received.

In view of what has been stated and the enclosed Declarations and supporting evidence, Applicant petitions to withdraw holding of abandonment without a petition fee. However, the Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
D. Bruce Prout
Reg. No. 20,958
626/795-9900

JEC/lal
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